

STATE OF INDIANA)
)
COUNTY OF PORTER)

FILED
IN THE PORTER SUPERIOR COURT
NOV 15 PM 2:52

JENNIFER BOSHAW,
PLAINTIFF,

CLERK OF COURT AND
CLERK OF DISTRICT COURT

vs.

FINANCIAL RECOVERY SERVICES, INC.
DEFENDANT.

Cause Number: 64001-1211-CT-11699

COMPLAINT AND DEMAND FOR JURY TRIAL - INDIVIDUAL

Plaintiff, JENNIFER BOSHAW (hereinafter referred to as "Ms. Boshaw"), on behalf of herself, by counsel, Michael P. McIlree, for his Complaint against the Defendant, FINANCIAL RECOVERY SERVICES, INC. ("FRS, INC."), and alleges and states the following:

INTRODUCTION

1. This is an action for damages brought by the Plaintiff, ("Ms. Boshaw"), for the Defendant's violations of the Federal FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692, *et seq.* (hereinafter referred to as "FDCPA") which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

JURISDICTION

2. This Court has jurisdiction over the claims in this matter as the violations occurred in this county where Plaintiff resides.

PARTIES

3. Ms. Boshaw is an individual consumer currently residing in Porter County, Indiana.

4. Financial Recovery Services Inc. is a debt collector as defined by 15 U.S.C.

§1692a(6).

5. Defendant regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another.

FACTUAL ALLEGATIONS

6. Plaintiff has received phone calls at her workplace from Financial Recovery Services Inc. regarding an alleged debt obtained for personal, family, or household purposes.

7. The Plaintiff sent a letter to Defendant by facsimile transmission at their provided fax number. (A true and accurate copy of the letter is attached as **EXHIBIT A**)

8. Defendant, FRS continued to make the phone calls including calls to the place of employment.

9. The phone calls were not to obtain location information under the Fair Debt Collection Practices Act.

10. Plaintiff sent the letter pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. §1692c(c).

11. Despite the communication, Defendant failed to cease communication.

12. By its' conduct, Defendant has violated the Fair Debt Collection Practices Act, 15 U.S.C. §1692, et al.

13. Defendants have violated 15 U.S.C. §1692b.

14. Defendants have violated 15 U.S.C. §1692c.

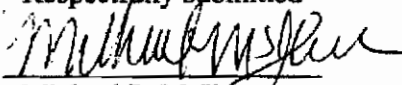
15. Defendants have violated 15 U.S.C. §1692d.

16. Defendants have violated 15 U.S.C. §1692f.

WHEREFORE, plaintiff requests that the Court enter judgment in her favor against the


Defendant for:

1. Ms. Boshaw's actual damages.
2. The maximum amount of statutory damages provided under the FDCPA.
3. Attorney's fees, litigation expenses and costs.
4. Such other and further relief as is appropriate.

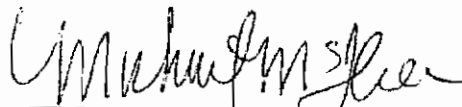
Respectfully submitted
By 
Michael P. McIlree

VERIFICATION

The foregoing statements are true and accurate to the best of my knowledge and belief.


Jennifer Boshaw

JURY DEMAND


Plaintiff demands trial by jury.

Michael P. McIlree, #19847-45
Attorney at Law
15 Main St.
Hobart, IN 46342
Tel: (219) 548-1800
Fax: 1-888-657-5914
Attorney for Plaintiff

EXHIBIT A

April 5, 2012

Fax: (952) 831-6700
Financial Recovery Services
4900 Viking Dr.
Edina, MN 55435

RE: Jennifer L. Boshaw, formerly Jennifer L. Wachter

I refuse to pay the alleged debt.

Jennifer L. Boshaw
700 Waverly Rd., Apt. 520
Porter, IN 46304